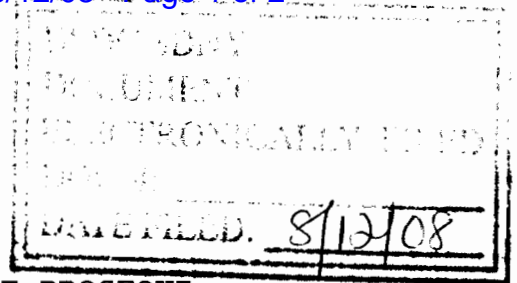


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL



-----X  
UNITED STATES OF AMERICA

:  
: NOLLE PROSEQUI

- v. -

:  
: 08 Cr. 35 (PKL)

JERRY BROOKS,

:  
: Defendant.  
-----X

1. The filing of this nolle prosequi will dispose of this case with respect to JERRY BROOKS, the defendant.

2. On January 9, 2008, Indictment 08 Cr. 35 was filed, charging JERRY BROOKS with making materially false statements, in violation of Title 18, United States Code, Section 1001.

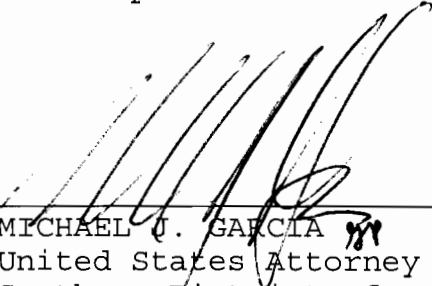
3. Based on a review of information pertaining to this defendant acquired after the filing of the Indictment, the Government has concluded that it will not proceed with the prosecution of JERRY BROOKS.

4. In light of the foregoing, I recommend that an order of nolle prosequi be filed as to the defendant, JERRY BROOKS, with respect to Indictment 08 Cr. 35 (PKL).

\_\_\_\_\_  
Loyaan A. Egal/Pablo Quiñones  
Assistant United States Attorneys  
(212) 637-2205/2487

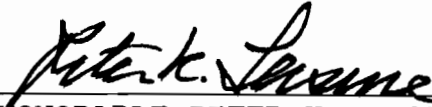
Dated: New York, New York  
August 8, 2008

Upon the foregoing recommendation, I hereby direct,  
with leave of the Court, that an order of nolle prosequi be filed  
as to defendant JERRY BROOKS with respect to Indictment  
08 Cr. 35 (PKL).

  
\_\_\_\_\_  
MICHAEL J. GARCIA  
United States Attorney  
Southern District of New York

Dated: New York, New York  
August 5, 2008

SO ORDERED:

  
\_\_\_\_\_  
HONORABLE PETER K. LEISURE  
United States District Judge  
Southern District of New York

Dated: New York, New York  
August 12, 2008